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EXAMINER

STEVENS, ROBERT

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/967,254

Applicant(s)

VAN DER MEULEN, PIETER

Examiner

Robert M Stevens

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☒ Claim(s) 11,13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4 and 5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: original application 09/967254, entitled "Method and System and Article of Manufacture for Internet Slide Show", filed September 27, 2001.
2. Claims 1-16 are pending. Claims 1, 10, 15 and 16 are independent.
3. Acknowledged copies of each of Applicant's IDS forms 1449 (Paper Numbers 4 and 5) are attached to the current Office Action.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84 for the following reasons:
 - a. The drawings do not include the following reference sign(s) mentioned in the description: 50, 52, 64, 80, 82, 84, 85, and 801.
 - b. Figure 1 contains reference numbers 1, 2, and 3, which are not discussed in the specification. Additionally, it is suggested that reference numbers be chosen that are larger than the figure numbers to avoid confusion when discussing Figures 1-3 vice the elements referred to by reference numbers 1-3.
 - c. Figure 4 was not addressed in the specification.
 - d. Reference items 60 and 62 refer to different elements in Figures 3 and 5a.

5. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. Regarding page 5, para 0020, line 6 (from the top of the para): The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.
7. The disclosure is objected to because of the following informalities:
 - a. Page 1, para 0002, line 5 (from the top of the para) makes two different references (09/993586 and '585) to the same application. Both references appear to be in error, as neither application was filed by Adler.
 - b. Pages 3-4: The Brief Description of the Drawings does not include figures 6a and 6b.
 - c. Page 4, para 0016, line 5 (from the top of the para) defines "dataset" as a data file (e.g., a digital photograph file), but lines 8-9 define a dataset as a data file plus an HTML file. Please reconcile, because an inconsistent definition creates an indefiniteness issue with respect to the claims. See the discussion below regarding 35 USC 112 2nd paragraph rejections.

- d. Page 6, para 0020, lines 2-4 (from the top of the page) references a “plurality” of timing values in a refresh meta tag. This is contrary to what is described in the HTML literature of record, which discusses only the “content” attribute for supplying one timing value. Additionally, the specification only discloses the use of one “content” attribute to provide one timing value. Please clarify.
- e. Page 8, para 0025, lines 3-6 (from the top of the page) is unclear as to how “Creation of locally stored datasets may be accomplished by viewing software executing” Please clarify.
- f. Page 9, para 0030, lines 2-4 (from the top of the para) is silent as to why a “predetermined timing value” for a refresh meta tag may only vary from 1 to 10 seconds. Please explain.
- g. Page 9, para 0030, lines 4-5 (from the top of the para) is awkwardly worded. Please clarify.
- h. Page 11, para 0035, lines 7 and 9 (from top of para) refer to menus 66 and frame 66, respectively. Please reconcile.
- i. Page 12, para 0037, line 2 (from top of para) refers to “scripting code”, yet only HTML code is shown in the associated figures. Please explain, especially in light of paragraphs 0007 and 0023, which appear to be teaching away from the use of compiled and scripting languages for the purpose of this Application.

- j. Page 13, para 0040, line 3 (from the top of the page) addresses the "top-frame in Fig. 5a, but omits a reference number to said top-frame.
8. Appropriate correction of the items addressed above is required.

Claim Objections

9. Claims 11, 13 and 14 are objected to because of the following informalities: These claims contain step numbers/letters (*i.e.*, h, i and i, ii and f, g, h, respectively) that are confusing, especially when read in light of the claims upon which they depend. Appropriate correction is required.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. **Claims 1-16 are rejected under 35 U.S.C. 112, first paragraph**, as failing to comply with the enablement requirement. The claim contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claim 1, there was no written description for "software executing at the source and capable of generating one or more page files" (e.g., HTML files). Additionally, the term page file was not defined within the

specification. The Office considers a page file to be HTML code for the purposes of examination.

Regarding claim 5, a “plurality” of timing values was not enabled within the specification. This is contrary to what is described in the HTML literature of record, which discusses using the “content” attribute of a meta tag for supplying one timing value. Additionally, the specification only discloses the use of the “content” attribute to provide one timing value. For the purposes of examination, the Office considers a plurality of timing values as plurality of refresh meta tags, one per each HTML file.

Regarding claims 6-8, the use of an online service was not enabled within the specification.

Further regarding claim 8, the use of push technology is not found within the specification. Additionally, the use of refresh meta tags indicates that “client pull” rather than “server push” technology is being employed. See the first full paragraph (“Client pull ... refresh <META> tag.”) of the left column on page 31 of the Hal Berghel article entitled “The New Push for Push Technology”, supplied by the Office.

Regarding claim 10, there is a lack of enablement as to step d “while the first data set is being presented, obtaining a second dataset.

Regarding claim 14, there is a lack of enablement as to “obtaining input from a user as to which of a plurality of dataset choices the user desires” and using the selection to obtain a next dataset.

Further regarding claim 14, there is a lack of enablement as to a "plurality of dataset sequence values".

Regarding claim 15, there is a lack of enablement as to the step a "scanning [of] data files, step b "for each data file, creating an Internet browser processable file" and for a refresh meta-tag comprising more than one timing value (comprising only one value was enabled), and step d, iv creating a third browser frame "containing no data".

Regarding claim 16, there was no written description for "software executing at the source and capable of generating one or more page files" (e.g., HTML files). Additionally, the term page file was not defined within the specification. the Office considers a page file to be HTML code for the purposes of examination.

Claims 2-4, 9, and 11-13 are dependent upon either claim 1 or claim 10, as appropriate, and therefore inherit the 35 USC 112 1st paragraph deficiencies of their parent claims.

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. **Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the term “dataset” is inconsistently defined in the specification as either a data file or a file comprised of data and HTML code. Refer to page 4, para 0016, line 5 (from the top of the para) defining a “dataset” as merely a data file (e.g., a digital photograph file), in contrast to lines 8-9 which define a dataset as a data file plus an HTML file.

Claim 2 is in improper Markush format. The Office suggests that claim 2 be expressed as a selection from a group, stated in the alternative, or that claim 1 be amended to recite a “plurality of presentation devices”.

Regarding claim 10, the term “dataset” is inconsistently defined in the specification as either a data file or a file comprised of data and HTML code. See the above 35 USC 112 2nd discussion re: claim 1, above.

Additionally, claim 10 recites the limitation “the predetermined timing value” in step g. There is insufficient antecedent basis for this limitation in the claim.

The scope of claim 13 is indefinite because it appears to try to replace, rather than further limit, the substeps of claim 10, step g.

Additionally, in regards to claim 13, the term “maximizing” is vague and indefinite in the context of this claim. The Office considers this claim to mean presenting a first dataset within a first Internet browser frame.

The scope of claim 14 is indefinite because it appears to try to replace, rather than further limit, the steps of claim 10.

Regarding claim 15, “the predetermined timing value” lacks antecedent basis.

Regarding claim 16, the term “dataset” is inconsistently defined in the specification as either a data file or a file comprised of data and HTML code.

See the above 35 USC 112 2nd discussion re: claim 1, above.

Additionally, in regards to claim 16, the term “viewing software” is undefined in the specification. The Office considers viewing software to include a browser for the purposes of further examination.

Claims 5-9 and 12 are dependent upon either claim 1 or claim 10, as appropriate, and therefore inherit the 35 USC 112 2nd paragraph deficiencies of their parent claims.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claims 1-7 and 9-16 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Qureshi et al (US Patent No. 6,396,500, filed Mar 18, 1999,

hereafter referred to as Qureshi) in view of Nelson et al (US Patent No. 6,509,909, relying on a divisional priority date of Sep. 14, 1998, and hereafter referred to as Nelson), Applicant Admitted Prior Art (specification page 7, paragraph 0024, lines 9-11; hereafter referred to as AAPA), and Musciano et al (HTML & XHTML: The Definitive Guide, 4th Edition, published Aug. 2000 by O'Reilly, and hereinafter referred to as Musciano).

Regarding independent claim 1, Qureshi discloses

An improved system for presenting a sequential series of data using an Internet browser, comprising:

- a. a presentation device (Fig 1, #47 and col. 10 lines 28-34).*

Qureshi, though, does not explicitly disclose a level of detail such that the device is described as

further comprising a plurality of memory regions, each memory region corresponding to one of a plurality of frames for display on the presentation device,

Nelson teaches that limitation in Fig. 3 in which reference numbers 3210-3260 represent *a plurality of memory regions, each memory region corresponding to one of a plurality of frames for display on the presentation device.*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi because

this would allow a user to select a particular presentation element as set forth in Nelson at col. 7 lines 1-13.

Qureshi further teaches

each frame being selectively enabled (col 10 lines 44-65).

Qureshi, though, does not explicitly disclose

with at least one frame being a selectively hidden frame;

AAPA found in the specification on page 7 para 0024 lines 9-11 (from the top of the para) discloses that “frames ... may be hidden ... as will be familiar to those of ordinary skill in the Internet browser software arts.” In other words, this limitation is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Continuing with step b of claim 1, Qureshi inherently teaches

b. an Internet browser executing in the presentation device, (Fig. 2 #122 and col 11 lines 8-15)

However, Qureshi does not explicitly disclose

At least one portion of the Internet browser being adapted to interpret meta-tags;

Musciano, though, does teach such use of meta-tags in the fourth paragraph under section 13.2.1 "Uniquely Refreshing" (The HTTP Refresh field ... enabled by the <meta> tag format").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because the use of a meta tag with an "http-equiv" attribute set to "Refresh" enables client-pull dynamic documents to work with browsers such as Netscape and Internet Explorer. See the first and fourth paragraphs under section 13.2.1 "Uniquely Refreshing".

Continuing with steps c and d of claim1, Qureshi inherently teaches

c. a plurality of datasets, each dataset comprising processable for presentation; and (Fig. 2 #114, 116, 118 and 120)

d. software executing at the source and capable of generating one or more page files formatted for processing by the Internet browser, each page file comprising Internet browser directives (Fig 2 #102, 118 and 120, and col 10 line 66 through col 11 line 7)

However, Qureshi does not explicitly disclose that said Internet browser directives are

comprising a dataset identifier, an identifier of a content data file associated with the dataset, at least one refresh meta-tag to instruct the Internet browser to download a predetermined next dataset of the plurality of datasets for presentation, and at least one refresh meta-tag containing a timing value.

Nelson, though, does teach a *dataset identifier*, (See Fig. 3 reference numbers 3272, 3274, 3276, 3278 and 3280 corresponding to dataset identifiers or presentation ID's 1-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi, AAPA and Musciano because this would allow a user to select a particular presentation element as set forth in Nelson at col. 7 lines 1-13.

Musciano, further teaches the remaining limitations of **step d** as follows: *an identifier of a content data file associated with the dataset*, (section 13.2.2.3 describing the contents of the file second.html, especially noting the attribute "URL=http://www.kumquat.com/second.html") *and at least one refresh meta-tag containing a timing value* (section 13.2.2.3 describing the contents of the file third.html, especially noting the attribute "content=30"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for

example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson, AAPA and Musciano for the benefit of Qureshi because these were all working to address a common issue within the computer display art, i.e., how to enable a presentation over a network.

Regarding claim 2, which is dependent upon independent claim 1, Qureshi discloses *wherein the presentation device comprises personal computers, personal digital assistants. Internet enabled telephones, and Internet enabled handheld tablets*. See col 8 lines 33-49 describing the use of a personal computer to practice his invention.

Regarding claim 3, which is dependent upon independent claim 1, Qureshi discloses *wherein the datasets comprise digital photographs data, HTML files, XML files, audio data comprising MP3 data, video data, text data, mixed data files comprising graphics and audio data, and combinations thereof*. See col 10 lines 7-11 describing the use of movies (i.e., video), inter alia.

Regarding claim 4, which is dependent upon independent claim 1, Nelson discloses *wherein each dataset identifier is a unique identifier*. (See Fig. 3 reference numbers 3272, 3274, 3276, 3278 and 3280 corresponding to dataset

identifiers or presentation ID's 1-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi, AAPA and Musciano because having unique identifiers allowed a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Regarding claim 5, which is dependent upon independent claim 1, Musciano discloses: *wherein the timing value comprises a plurality of timing values* (See comment under 35 USC 112 2nd rejections and section 13.2.2.3 first.html, second.html and third.html files, noting the <meta> tag "content" attribute in each file), *comprising timing value definitions of when to retrieve a next dataset* (section 13.2.2.3 first.html file, noting the <meta> tag "content" attribute in this file), *when to display the next dataset* (section 13.2.2.3 first.html file, noting the <meta> tag "content" attribute in this file), *and how long to display a currently displayed dataset* (section 13.2.2.3 third.html file, noting the <meta> tag "content" attribute in this file, which refers to how long the current dataset—in this case first.html—will be displayed). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the

Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Regarding claim 6, which is dependent upon independent claim 1, Qureshi discloses: *wherein the source of the plurality of datasets (Fig 2 #'s 118, 120) is an online service (col 2 lines 26-31), further comprising a data communications interface operatively connected to the presentation device and the online service (Fig. 1, reference #'s 20, 47, 52, 54 and discussion at col 9 lines 54-57 and col3 lines 31-34).*

Regarding claim 7, which is dependent upon claim 6, Qureshi discloses: *wherein the data communications interface provides access to the online service via the Internet (Fig 1 #52 and discussion at col 9 lines 56-57).*

Regarding claim 9, which is dependent upon independent claim 1, Musciano discloses: *wherein only one frame is enabled for presentment at a time (section 13.2.2.3, which discusses looping over three files: first.html, second.html and third.html). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano*

section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Regarding independent claim 10, Qureshi discloses *A method for presentation of data contained in a plurality of datasets in a predetermined sequence using an Internet browser, each dataset having a dataset identifier, comprising:*

a. *obtaining a first dataset* (Fig. 1 #20, a slide HTML page),

Qureshi, however does not disclose the next elements.

Musciano, though, discloses:

the first dataset comprising a refresh meta-tag (section 13.2.2.3, first.html file contains <meta> tag attribute http-equiv="Refresh"), *the refresh meta-tag further comprising at least one timing value* (section 13.2.2.3, first.html file contains <meta> tag attribute content="30") *and at least one dataset sequence value* (section 13.2.2.3, first.html file contains <meta> tag attribute URL="http://www.kumquat.com/second.html");

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven

kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi does not disclose the next element.

Nelson, however, discloses:

b. storing the first dataset into a memory region associated with a first Internet browser frame presentable on a presentation device (Fig. 3 #3272);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi discloses:

c. enabling presentment of data from the first dataset in the first Internet browser frame (Fig. 2 # 122 connected to 118 and 120)

Qureshi does not disclose the next elements.

Nelson, however, discloses:

on a presentation device (Fig 3 #300);

while data from the first dataset are being presented, obtaining a second dataset (Fig 2 #3230 "element 2"). It would have been obvious to one of ordinary

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skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so allowed a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi does not disclose the next element.

Musciano discloses:

the second dataset comprising a refresh meta-tag (section 13.2.2.3, second.html file contains <meta> tag attribute http-equiv="Refresh"), the refresh meta-tag further comprising at least one timing value (section 13.2.2.3, first.html file contains <meta> tag attribute content="30") and at least one dataset sequence value (section 13.2.2.3, first.html file contains <meta> tag attribute URL="http://www.kumquat.com/third.html"); It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi and Nelson because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi does not disclose the next element.

Nelson discloses:

e. *storing the second dataset in a memory location associated with a second* (Fig. 3 #3774). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi discloses:

Internet browser frame presentable (Fig. 2 # 122 and col 7 lines 62-65)

Qureshi does not disclose the next element.

Nelson, however, discloses:

on a presentation device (Fig. 3 #300). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi does not disclose the next element.

AAPA, however, discloses:

the second Internet browser frame initially being a hidden frame (found in the specification on page 7 para 0024 lines 9-11 from the top of the para). It

would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi, Musciano and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Qureshi does not disclose the next elements.

Musciano, however, discloses:

f. disabling presentment in at least a portion of the Internet browser second frame on the presentation device (sections 13.2.2.2 and 13.2.2.3 discussing how the refresh <meta> tag works, especially 13.2.2.2 “would cause the browser to retrieve the next.html document ... after having displayed the current document for 15 seconds”); and

g. after the predetermined timing value from the first dataset has elapsed,

i. revealing the hidden Internet browser second frame;

ii. enabling presentment of data from the second dataset in the Internet browser second frame;

iii. hiding the first Internet browser frame; and

iv. disabling presentment of at least a portion of the data in the first Internet browser frame on the presentation device. (For step g and the ensuing substeps (i-iv) refer to sections 13.2.2.2 and 13.2.2.3 discussing how the refresh <meta> tag works, especially 13.2.2.2 “would cause the browser to retrieve the

next.html document ... after having displayed the current document for 15 seconds” and 13.2.2.3 discussing how three HTML files can be programmed to loop continuously.) It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson, AAPA and Musciano for the benefit Qureshi because these were all working to address a common issue within the computer display art, i.e., how to enable a presentation over a network.

Regarding claim 11, which is dependent upon independent claim 10, Musciano discloses:

further comprising:

h. obtaining a next dataset using the at least one dataset sequence value from the first dataset (section 13.2.2.3, see attribute URL=http://www.kumquat.com/second.html); *and*

i. repeating step (b) through step (g) (section 13.2.2.3 “the browser will ... loop among the documents at 30-second intervals”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Regarding claim 12, which is dependent upon independent claim 10, AAPA discloses:

wherein hidden Internet browser frames are completely removed from view on the presentation device (AAPA found in specification on page 7 para 0024 lines 9-11 (from the top of the para) discloses that “frames ... may be hidden ... as will be familiar to those of ordinary skill in the Internet browser software arts.” In other words, this limitation is well known in the art.) It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi, Musciano and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Regarding claim 13, which is dependent upon independent claim 10, Musciano discloses:

wherein step (g) further comprises:

i. *maximizing a first Internet browser frame in which data from the first dataset are being presented* (section 13.2.2.2, in particular: “after having displayed the current [first] document for 15 seconds”);

ii. *processing data from the stored second dataset into a second Internet browser frame, while data from the first dataset are still being presented*, (section 13.2.2.3, refer to <meta> tag of first.html and explanation of the processing of the HTML files first.html, second.html and third.html)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

AAPA discloses:

the second frame being hidden (AAPA found in specification on page 7 para 0024 lines 9-11 from the top of the para);

iii. *hiding the first frame after a predetermined timing value from the first dataset has elapsed* (AAPA found in specification in specification on page 7 para 0024 lines 9-11 from the top of the para);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi, Musciano

and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Musciano discloses:

iv. revealing the second frame after a predetermined timing value from the first dataset has elapsed (section 13.2.2.2, especially "[the example <meta> tag "would cause the browser to retrieve the next.html document ... after having displayed the current document for 15 seconds"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Regarding claim 14, which is dependent upon independent claim 12,

Nelson discloses:

further comprising:

f. for the first dataset, the first dataset comprising a plurality of dataset sequence values (Fig 3 #'s 3272, 3274, 3276, 3278, 3280), obtaining input from a user as to which of a plurality of dataset choices the user desires, the dataset choices being related to the plurality of dataset sequence values (col

6 line 53 thru col 7 line 12, discussing the selection and display of a dataset [presentation element]):

g. obtaining a next dataset using a selected dataset choice (col 6 line 53 thru col 7 line 12, discussing the selection and display of a dataset [presentation element]);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Musciano discloses:

h. repeating step (b) through step (g) (section 13.2.2.3, discussing looping among documents). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Regarding independent claim 15, Qureshi discloses:

A method for presentation of data contained in a plurality of datasets in a predetermined sequence using an Internet browser, each dataset having a dataset identifier, comprising:

b. for each such data file, creating an Internet browser processable file (col 7 lines 62-65 and Fig. 2 #'s 106, 114, 116, 118, 120)

Qureshi, though, does not disclose the subsequent limitations within **step b**.

Musciano, however, discloses:

comprising a link to the data file, the Internet browser processable file comprising a refresh meta-tag, the refresh meta-tag further comprising at least one timing value and at least one dataset sequence value (section 13.2.2.3, refresh <meta> tags for files first.html, second.html and third.html include a link [URL= ...], refresh tag [http-equiv=Refresh], a timing value [content=30], and a dataset sequence value [URL= ...]); It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi, though, does not disclose:

a. *scanning data files stored in a predetermined portion of a data store for data files*

Nelson discloses

such a limitation in col 6 line 67- col 7 line 5, discussing that controller 3300 “associates the presentation element ID [or scans datafiles] stored in memory 3270”

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Further regarding limitation **step a**, Qureshi discloses:

comprising content for presentment by the Internet browser (Fig. 2, #122, 120, 118);

Qureshi discloses:

c. *retrieving a first Internet browser processable file at a presentation device using the Internet browser (Fig. 2, #122, 118 and 120);*

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

d. processing the Internet browser processable file, comprising:

i. storing data defined by a first Internet browser processable file into a memory region associated with a first Internet browser frame presentable on the presentation device (Fig. 3 #'s 3220 and 300);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi discloses:

ii. enabling presentment of the data from the first Internet browser processable file in the first Internet browser frame (Fig. 2 #'s 122, 118, 120)

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

on a presentation device (Fig. 3 #300);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and Musciano because to do so enabled a presentation controller to retrieve a

particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi does not disclose the next limitation.

Musciano, however, discloses:

iii. while data from the first Internet browser processable file are being presented, obtaining a second Internet browser processable file defined in the first Internet browser processable file (section 13.2.2.3, see contents of first.html, especially "URL=http://www.kumquat.com/first.html"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi and Nelson because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

into a memory region associated with a second Internet browser frame
(Fig. 3 # 3274) *presentable on the presentation device* (Fig. 3 # 300),

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and

Musciano because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi does not disclose the next limitation.

AAPA, however, discloses:

the second Internet browser frame initially being a hidden frame (AAPA found in specification on page 7 para 0024 lines 9-11 from the top of the para);

iv. creating a third Internet browser frame that is hidden, the third Internet browser frame containing no data (AAPA found in specification on page 7 para 0024 lines 9-11 from the top of the para);

v. hiding the first Internet browser frame (AAPA found in specification on page 7 para 0024 lines 9-11 from the top of the para)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi, Musciano and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Qureshi does not disclose the next limitation.

Musciano, however, discloses:

and revealing the second Internet browser frame after the predetermined timing value from the first Internet browser processable file has elapsed (section

13.2.2.2, "would cause the browser to retrieve the next.html document [second Internet browser frame] ... after having displayed the current document for 15 seconds [i.e., the elapsed timing value]");

vi. *while data from the second Internet browser processable file are being presented, obtaining data from a third Internet browser processable file defined in the second Internet browser processable file (section 13.2.2.3, see second.html, noting the attribute "URL=http://www.kumquat.com/third.html)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

into a memory region associated with the third Internet browser frame
(Fig. 3 #3276);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi, Musciano and AAPA because to do so enabled a presentation controller to

retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi does not disclose the next limitation.

AAPA, however, discloses:

vii. *hiding the second Internet browser frame* (AAPA found in specification in specification on page 7 para 0024 lines 9-11 from the top of the para);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi, Musciano and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Qureshi does not disclose the next limitation.

Musciano, however, discloses:

and revealing the third Internet browser frame after the predetermined timing value from the second Internet browser processable file has elapsed (section 13.2.2.2, noting that the refresh <meta> tag “would cause the browser to retrieve the next.html document ... after having displayed the current document for 15 seconds [a timing value]”, and section 13.2.2.3, noting the “loop among the three documents at 30 second intervals [a timing value]”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the

teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson, AAPA and Musciano for the benefit Qureshi because these were all working to address a common issue within the computer display art, i.e., how to enable a presentation over a network.

Regarding independent claim 16, Qureshi discloses:

An improved system for presenting a sequential series of data using viewing software, comprising:

a. *a presentation device (See Fig. 1 #47 [presentation device], Fig. 2 #102 and 122 [viewing software], and discussion at col 10 lines 28-34)*

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

further comprising a plurality of memory regions, each memory region corresponding to one of a plurality of frames for display on the presentation device (Fig. 3 #'s 3220-3260),

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi discloses:

each frame being selectively enabled (col. 10 lines 44-65, especially noting lines 54-57)

Qureshi does not disclose the next limitation.

AAPA, however, discloses:

with at least one frame being a selectively hidden frame (AAPA found in specification on page 7 para 0024 lines 9-11 from the top of the para);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of AAPA for the benefit of Qureshi and Nelson because hiding frames provides a user of a display device with more screen real estate to view those frames that are not hidden.

Qureshi does not disclose the next limitation.

Nelson, however, discloses:

b. a plurality of datasets, each dataset comprising data processable for presentation (Fig. #'s 3220-3260);

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson for the benefit of Qureshi and AAPA, because to do so enabled a presentation controller to retrieve a particular dataset (or presentation element) as stated by Nelson in col 7 lines 5-10.

Qureshi inherently discloses:

c. *viewing software executing in the presentation device* (Fig. 2 #'s 102 and 122, Fig. 1 # 47),

Qureshi does not disclose the next limitation.

Musciano, however, discloses:

at least one portion of the viewing software being adapted to interpret meta-tags (section 13.2.2.2 describing a refresh <meta> tag).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

Qureshi discloses:

the viewing software capable of rendering the presentation data into a human perceptible form (Fig. 2 # 102 and 122, and discussion at col. 10 lines 28-31 and 44-65); and

d. software executing at the source and capable of generating one or more page files formatted for processing by the viewing software, each page file comprising viewing software directives (Fig. 2 # 102, 118 and 120, and col. 10 line 66 through col. 11 line 7)

Qureshi does not disclose the next limitation.

Musciano, however, discloses in section 13.2.2.3, noting the <meta> tag of first.html:

comprising a dataset identifier (attribute "URL=http://www.kumquat.com/second.html"), an identifier of a content data file associated with the dataset (attribute "URL=http://www.kumquat.com/second.html"), at least one refresh meta-tag to instruct the viewing software to retrieve a predetermined next dataset of the plurality of datasets for presentation (attribute http-equiv="Refresh"), and at least one refresh meta-tag containing a timing value (attribute "content=30"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Musciano for the benefit of Qureshi, Nelson and AAPA because this would have enabled a browser to cycle among documents, making excellent attractors, which catch the attention of passers-by to a web-driven

kiosk, for example. See the Musciano section 13.2.2.3 discussion following the third.html refresh <meta> tag discussion.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Nelson, AAPA and Musciano for the benefit Qureshi because these were all working to address a common issue within the computer display art, i.e., how to enable a presentation over a network.

16. **Claim 8 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Qureshi, Nelson, AAPA and Musciano as applied to claims 1 and 6 above, and further in view of Berghel ("The New Push for Push Technology", Mixed Media, 1998, ACM 1091-3556/98/0600, hereafter referred as Berghel).

Regarding independent claim 8, the references (Qureshi, Nelson, AAPA and Musciano) previously applied to claims 1 and 6, do not disclose: *wherein the online service provides the plurality of data sets using push technology.*

Berghel discloses this limitation on page 31, right column, first two sentences of the last paragraph ("Dynamic updatingServer push ... transmissions of HTML documents.")

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Berghel for the benefit of Qureshi, Nelson, AAPA and Musciano because the use of push technology liberates both information consumer and information provider from dependence on Web-based

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clients, as discussed by Berghel on page 32, right column, first full paragraph, lines 9-12.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-patent Literature

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Niederst, Jennifer, Web Design in a Nutshell, 2nd Edition, Chapter 9.4 "Using <meta> Tags", O'Reilly Publishing, September 2001. (ISBN 0-596-00196-7).

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Alexander	6,732,331

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (703) 605-4367. The examiner can normally be reached on M-F 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Robert M. Stevens
Examiner
Group Art Unit 2176
Date: May 28, 2004


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